

# CERTIFICATE OF FEE EXEMPTION

## De Minimis Impact Findings

### Project Title/Location Name and Address of Project Proponent

Amendments to Regulation XIII - *New Source Review*

Antelope Valley Air Pollution Control District (AVAPCD)  
43301 Division St., Suite 206  
Lancaster, CA 93535-4649

### Brief description of the project and its location, including county

The proposed amendments to Regulation XIII - New Source Review reorganize the regulation for ease of use and amend certain provisions to reflect the AVAPCD's nonattainment designation of Severe-17 for Ozone. In general, the New Source Review regulation requires the AVAPCD to review all new or modified stationary sources of air pollution for compliance with air district rules and regulations as well as to require offsetting emissions reductions for those new or modified sources which emit air pollution in amounts greater than certain threshold amounts.

The Mojave Desert Air Basin portion of Los Angeles County

### Findings

- X An initial study was conducted by the Antelope Valley Air Pollution Control District. When considering the record as a whole there is no evidence before the agency that the proposed project will have potential for an adverse effect on wildlife resources or the habitat upon which the wildlife depends.
- An initial study was conducted by the Mojave Desert Air Quality Management District, and the study indicates that the project may or will result in changes to the resources listed below. On the basis of substantial evidence, MDAQMD has rebutted the presumption of adverse effect contained in §753.3(d) of Title 14, California Code of Regulations. Therefore, the MDAQMD finds that the proposed project will not have the potential for an adverse effect on wildlife resources, or the habitat upon which the wildlife depends.
  - Riparian land, rivers, streams, watercourses, and wetlands under State and federal jurisdiction.
  - Native and non-native plant life and the soil required to sustain habitat for fish and wildlife.
  - Rare and unique plant life and ecological communities dependent on plant life.
  - Listed threatened and endangered plants and animals and the habitat in which they are believed to reside.

- All species of plants or animals as listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, the Water Code or regulations adopted thereunder.
- All marine and terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside.
- All air and water resources the degradation of which will individually or cumulatively result in a loss of biological diversity among the plants and animals residing in that air and water.

### **Certification**

I hereby certify that the lead agency has made the above findings of fact and that based upon the initial study and hearing record the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in §711.2 of the Fish and Game Code.

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Eldon Heaston

Deputy Air Pollution Control Officer  
Antelope Valley Air Pollution Control  
District

Date: \_\_\_\_\_